

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - August 13, 1969

Appeal No. 10130 Fulton R. Gordon, Jr. appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting on August 19, 1969.

ORDERED:

That the appeal for permission to establish a community center and for waiver of parking requirements at 4512 - 9th Street, NW., Lot 27, Square 3016, be denied.

FINDINGS OF FACT:

1. The subject property is located in an R-3 District.
2. The property is improved with a two-story and basement detached single family dwelling.
3. Appellant proposes to establish a community center providing free day care for children of working mothers and recreational activities for pre-teens and teenagers.
4. The center shall be designed to serve children under 15 years of age. Children under 5 years of age will occupy the premises from 9 a.m. to 6 p.m.
5. It is proposed that from 75 to 100 teenagers will use recreational facilities. The center is to have a membership policy. However, other area clubs will be affiliated with the center.
6. Three persons are to be employed in connection with the day care center.
7. Five persons are to be employed for the teenage operation.
8. Adult education classes and community meetings are to be held in a room to be provided.

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9. Appellant requests waiver of parking for a total of 14 teachers and instructors and administrators. It is proposed that parking is available within two blocks of the subject property.

10. Opposition to the granting of this appeal was registered at the public hearing.


OPINION:

We are of the opinion that this appeal must be denied. The proposed community center is so located and the activities therein will be such that it is likely to become objectionable to adjoining and nearby property because of noise, traffic, and other objectionable conditions.

Additionally, we hold that appellant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations. The request to waive the parking requirements is hereby denied.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 
CHARLES E. MORGAN
Secretary of the Board

Before the Board of Zoning Adjustment, DC

PUBLIC HEARING - November 12, 1969

Appeal No. 10130 Fulton R. Gordon, Jr., appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of November 18, 1969.

ORDERED:

That the appeal for permission to establish a community center and for waiver of parking requirements at 4512 - 9th Street, N.W., Lot 27, Square 3016, be denied.

FINDINGS OF FACT:

1. The subject property is located in an R-3 District.
2. The property is improved with a two-story and basement detached single-family dwelling.
3. Appellant proposes to establish a community center which shall provide recreational activities, vocational training, and tutoring services to pre-teens and teenagers.
4. This Board denied this subject appeal in executive session on August 19, 1969 after public hearing August 13, 1969.
5. Rehearing was granted on the basis of evidence submitted by the appellant indicating that neighborhood residents no longer opposed the establishment of the center.
6. Opposition to this rehearing and to the establishment of the proposed center was registered at the public hearing on November 12, 1969.

OPINION:

The Board is of the opinion that this appeal must be denied. In so deciding, we note the questionability of the validity of signatures on the petitions favoring this appeal. It does not appear that the opposition has changed its position since the original hearing of this appeal.

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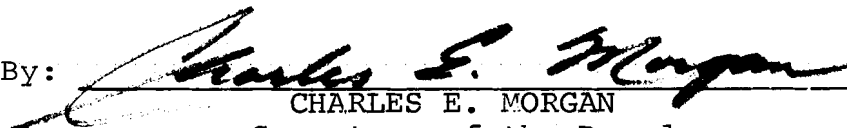
OPINION Cont'd:

We incorporate the facts, findings and opinion issued in our previous decision on this appeal.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:


CHARLES E. MORGAN
Secretary of the Board